Docket No. B-28

## Declaration and Power of Attorney For Patent Application English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

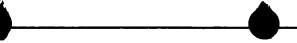
Compositions, assay kits, and methods for use related to a disease condition comprising multiple sclerosis and/or a pro-MS immune response

the specification of which (check one) is attached hereto. as United States Application No. or PCT International 티 uas filed on ΤU Application Number and was amended on ٠... (if applicable) I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. ſΨ I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56. I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed. Prior Foreign Application(s) Priority Not Claimed (Day/Month/Year Filed) (Number) (Country) (Country) (Day/Month/Year Filed) (Number) 

(Number)

(Day/Month/Year Filed)

(Country)



I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

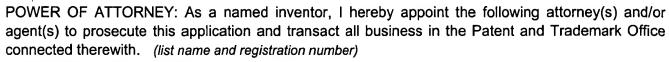
60/150256	23 August 1999		
(Application Serial No.)	(Filing Date)		
60/151999	01 September 1999		
(Application Serial No.)	(Filing Date)		
60/207577	26 May 2000		
(Application Serial No.)	(Filing Date)		

I hereby claim the benefit under 35 U. S. C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, C. F. R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)
(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)
(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Į.J



M. Bud Nelson, Reg. No. 35,300

Send Correspondence to: M. Bud Nelson

BioCrystal Ltd.

575 McCorkle Boulevard Westerville, OH 43082-8888

Direct Telephone Calls to: (name and telephone number)

= M. Bud Nelson 614-818-1170 ext. 201

Full name of sole or first inventor M. Bud Nelson

M. Duu Meison

Sole or first inventor's signature

Pacid Park

482 Park Boulevard, Worthington, Ohio, 43085

Citizenship

fU

**United States** 

Post Office Address

same as above for residence

Full name of second inventor, if any	
Emilio Barbera-Guillem	
Second invertor's signature	Date 21 August 2000
Residence 1555 Picarde Court, Powell, Ohio, 43065	
Citizenship Spain	
Post Office Address same as above for residence	

Date 21 August 2000

## VERIFIED STATEMENT (LARATION) CLAIMING SMALL TITY STATUS (37 CFR 1.9(f) AND 1.27 (c)) - SMALL BUSINESS CONCERN

Docket No. B-28

STATUS (37 CFR 1.9(f) AND 1.27 (c)) - SMALL BUSINESS CONCERN  B-28				B-28	
Seria	Serial No. Filing Date Patent No.  22 August 2000		Issue Date		
Applicant/ Natentee:					
Invention:	Compositions, a	ussay kits, and methods for use r	elated to a disease condition com	prising multiple sclerosis	
and/or a pro-M	IS immune resp	onse			
				<del></del>	
I hereby decl	are that I am:				
<del></del>		mall business concern identified		· · · · · · · · · · · · · · · · · · ·	
. ⊠ an	official of the sr	nali business concern empowe	red to act on behalf of the conce	ern identified below:	
	ONCERN: <u>Bio</u>				
ADDRESS C	F CONCERN:	575 McCorkle Boulevard, West	terville, Ohio, 43082-8888		
hereby dec	lare that the ab	ove-identified small business o	concern qualifies as a small bus	iness concern as defined in	
13 CFR 121.	3-18, and repro	oduced in 37 CFR 1.9(d), for pu	irposes of paying reduced fees	under Section 41(a) and (b)	
27 3 5		•	loyees of the concern, including (1) the number of employees of		
<b>".</b> :	•	• •	ie persons employed on a full-t		
			and (2) concerns are affiliates		
F-7 -	arrectiy, one co er to control bot		er to control the other, or a third	party or parties controls or	
hereby decl	lare that rights	under contract or law have bee	en conveyed to and remain with	the small business concern	
		to the above identified inventio			
*** *** ***					
	·	n filed herewith with title as liste	ed above.		
_		identified above.			
	the patent iden	tified above.			
_	•		s concern are not exclusive, e		
•			e next page and no rights to the an independent inventor unde		
concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under					
37 CFR 1.9(e).					

obligation und	ler contract	or law to ass	sign, grant, con	nave assigned, granted, ovey, or license any rights i	-	
	•		organization ex or organization	is listed below.		
FULL NAME ADDRESS	Ţ.					
FULL NAME		Individual		Small Business Concern		Nonprofit Organization
ADDRESS				****		
		Individual		Small Business Concern		Nonprofit Organization
FULL NAME						
ADDRESS						
		Individual		Small Business Concern		Nonprofit Organization
FOLL NAME						<del> </del>
ADDRESS		1. 1. 2. 2		O		N
= - = =		Individual		Small Business Concern	u	Nonprofit Organization
Separate ver	rified staten	nents are re	guired from ea	ach named person, conce	ern or organiz	ation having rights to the
:			mall entities. (3		J	
i Lacknowledo	e the duty	to file in th	is application (	or natent inotification of a	ny change in	status resulting in loss of
<del></del>				•		of the issue fee or any
maintenance	fee due afte	er the date o	n which status	as a small entity is no long	ger appropriate	e. (37 CFR 1.28(b))
						t all statements made on
r =						e with the knowledge that the under Section 1001 of
Title 18 of the	e United Sta	ites Code, a	nd that such wi	Ilful false statements may	jeopardize the	validity of the application,
any patent is:	suing thered	on, or any pa	atent to which th	nis verified statement is dir	ected.	
NAME OF PER	RSON SIGN	IING:	John M. Swar	rtz, Ph.D.		
TITLE OF PER	RSON SIGN	ING			,	
OTHER THAN	OWNER:		CEO			
ADDRESS OF PERSON SIGNING: BioCrystal Ltd.						
	575 McCorkle Boulevard					
			Westerville, C	Ohio, 43082-8888		
		Λ				
	1	// ,				
SIGNATURE: DATE: 21 August 2000						